



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE July 15, 2005 EFFECTIVE DATE July 29, 2005	CONTACT/PHONE Stephanie Fuhs (805) 781-5721	APPLICANT Ellen Beck	FILE NO. DRC 2004-00186
SUBJECT Hearing to consider a request by Ellen Beck for a Minor Use Permit to allow modification of the limitation on the size of a secondary dwelling from 800 square feet to allow an 1,193 square foot secondary dwelling with attached 260 square foot garage. The proposed project is within the Residential Suburban land use category and is located at 298 Country Oak Way, approximately 1,300 feet north of Lopez Drive, approximately three miles east of the City of Arroyo Grande. The site is in the San Luis Bay (Inland) planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC 2004-00186 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class Three Categorical Exemption was issued on May 16, 2005 (ED 04-519).			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 047,182,067	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: None applicable <i>Does the project meet applicable Planning Area Standards:</i> Not applicable			
LAND USE ORDINANCE STANDARDS: 22.10.090 – Height Measurement, 22.10.140 – Setbacks, 22.30.470 – Residential- Secondary Dwellings <i>Does the project conform to the Land Use Ordinance Standards:</i> Yes - see discussion			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on July 29, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Single family residence, accessory structure			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban/Residences <i>East:</i> Residential Suburban/Residences <i>South:</i> Residential Suburban/Residences <i>West:</i> Residential Suburban/Residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, CDF, City of Arroyo Grande			
TOPOGRAPHY: Gently to steeply sloping		VEGETATION: Grasses, forbs, ornamental landscaping, oak woodland	
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF		ACCEPTANCE DATE: April 8, 2005	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

DISCUSSION

LAND USE ORDINANCE STANDARDS:

22.10.090 - Height Measurements: Maximum Height for a residence is 35 feet. As proposed and conditioned, the project meets this standard.

22.10.140 - Setbacks: Setbacks for the project site are 25 feet in the front and 30 feet on the sides and rear of the property. As proposed, the project meets this standard.

22.30.470 - Secondary Dwellings: This section of the Land Use Ordinance states that on sites of less than five acres (net), the maximum square footage of the secondary dwelling is 800 square feet and that the secondary unit be located within 50 feet of the primary residence. This section also allows the Review Authority to approve exceptions to design standards to allow a secondary dwelling larger than 800 square feet (see discussion below).

STAFF COMMENTS:

Neighborhood Compatibility: The area is zoned Residential Suburban and consists of primarily of 2.5 to 5 acre parcels. There are several lots in the immediate vicinity with single family residences and secondary units. There is a wide variety of newer, large homes and older, farm house styles within 1/4 mile of the property.

Size Waiver Request: The proposed secondary dwelling is located directly behind the main residence on the property on a level portion of the project site. Increasing the square footage from 800 to 1,193 square feet will not significantly increase the amount of site disturbance and will not involve any vegetation removal. Further, drainage and sedimentation and erosion control impacts will not be increased significantly with the additional 400 square feet. The proposed plans show a storage area on the first floor containing a sliding glass door and direct access to the residence. This space could be considered habitable area, and as such would exceed the 1,200 square foot allowable within the Land Use Ordinance regulations. This space could be easily converted to living area, therefore, staff has recommended conditions of approval for revised plans showing removal of the storage area or revised plans showing the area as unconditioned space with no direct access to the residence.

POLICY ISSUES:

Staff has historically viewed secondary dwellings as a means to provide lower-income housing for family members or as rental units. When considering size waiver requests, staff conducts a site visit to evaluate any obvious environmental concerns with regard to vegetation removal and drainage. For this particular project, the eastern portion of the site has steep slopes containing heavy oak woodland. The area proposed for the secondary dwelling is on a level portion of the site that does not contain significant vegetation. With regard to drainage, Public Works reviewed the project and did not indicate any significant concerns.

COMMUNITY ADVISORY COUNCIL COMMENTS: No comments received.

AGENCY REVIEW:

Public Works – No concerns

CDF – See attached fire safety plan

City of Arroyo Grande – Requests traffic, fire impact fees

STAFF COMMENTS:

With regard to cumulative impacts on neighboring cities such as Arroyo Grande and Grover Beach, no fee schedule has been adopted by the Board of Supervisors which addresses the issue of development impacts from County projects to incorporated cities as well as city project impacts to county services. Until a fee schedule is adopted, current mutual aid practices are in place to address fire and police services, and road fees are required to provide regional traffic funding.

LEGAL LOT STATUS:

The one lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Stephanie Fuhs
and reviewed by Kami Griffin, Supervising Planner

**EXHIBIT A - FINDINGS
DRC 2004-00186 (Beck)**

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class Three) pursuant to CEQA Guidelines Section 15303 because the project involves the construction of limited, small new facilities in an area that doesn't contain significant fish or wildlife habitats or sensitive vegetation.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the secondary dwelling does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the secondary dwelling is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Country Oak Way, a local road constructed to a level able to handle any additional traffic associated with the project.

Secondary Dwelling Adjustments

- G. Modification of the maximum floor area for secondary dwellings from 800 square feet to allow a secondary dwelling of 1,193 square feet is justified because there are specific conditions of the site that make the standard unnecessary. These conditions consist of level topography where the unit will be located, lack of significant vegetation and location of the secondary dwelling behind the existing residence.

**EXHIBIT B - CONDITIONS OF APPROVAL
DRC 2004-00186 (Beck)**

Approved Development

1. This approval authorizes
 - a. modification of the maximum floor area for a secondary dwelling from 800 square feet to 1,193 square feet with a 260 square foot attached garage.
 - b. maximum height is 35 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits**, the applicant shall submit revised floor plans showing one of the following:
 - a. The storage area on the first floor removed, **or**
 - b. The storage area open to the garage with no direct access to the residence, **and**
 - c. The storage area shown as unconditioned space, **and**
 - d. The sliding glass door to the storage area removed and replaced with a solid wall.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated June 13, 2005.

Services

5. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Owner Occupancy Requirement

8. **Prior to issuance of a construction permit**, the applicant for the second unit shall record a notice against the property notifying any subsequent purchaser that failure to meet this requirement will subject the second unit to abatement by the county pursuant to Chapter 22.74 of this title. No secondary dwelling shall be allowed on the site unless an owner of the site agrees to occupy one unit on the site as his or her primary residence.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

9. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
10. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

11. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
12. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.
13. If the storage area is to remain, it shall remain as unconditioned space and not converted to habitable area.



SF

4

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 3/9/05

FROM

BECK



South Co. Team
(Please direct response to the above)

DRC 2004-00186 (mup)
Project Name and Number

Development Review Section (Phone: 788-2009)

*OR ASK THE SWITCH-
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION: Minor Use Pmt to modify size standards
for secondary dwelling, 3.21 Acres. APN: 047-182-067.
Located off Country Oak Wy., Arroyo Grande.
* new structure to be 1200 SF (for elderly parents).

Return this letter with your comments attached no later than: 3/24/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES
 NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

? NO (Please go on to Part III)
 YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

NEED 1200 SF FOR ELDERLY PARENTS - 800 SF WOULD BE EASIER TO MAINTAIN. 2 STORY
FOR ELDERLY PARENTS?

THE ONLY CONCERN WE HAVE IS THE ORDINANCE REQUIREMENT FOR CHIP SEAL or better
ACCESS ROAD - EXISTING ACCESS appears to be a paved road condition is satisfied.

22 March 2005
Date

Goodwin
Name

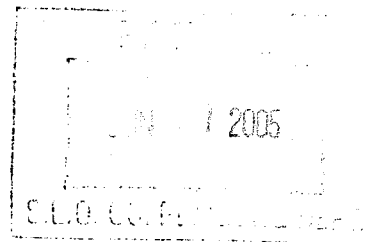
5252
Phone



CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California, 93405

June 13, 2005



County of San Luis Obispo
Department of Planning/Building
County Government Center
San Luis Obispo, CA 93408

SEF

Dear South County Team,

MINOR USE PLAN

Name: Beck

Project Number: DRC2004-00186

The Department has reviewed the minor use plans submitted for the proposed secondary residence project located at 298 Country Oak Way, Arroyo Grande. The property is located within high fire hazard severity area, and will require a minimum 12-15 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (1998 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

BUILDING SETBACKS

- All parcels one acre and larger shall provide a minimum 30-foot setback from all property lines.

ROOF COVERINGS

- All new structures within high fire severity zones shall have a minimum of at least a class 'B' roof covering.

WATER STORAGE TANK

- A minimum of 2,500 gallons of water in storage shall be required.
- Emergency water tanks shall have a:
 1. automatic fill,
 2. sight gage,
 3. venting system,
 4. minimum 4-inch plumbing schedule 40 PVC or iron pipe.
- The system shall gravity drain to **residential fire connection**.

WATER SUPPLY CONNECTION

- One residential fire connection shall be required.
- The connection shall be:
 1. on the driveway approach to the each residence,
 2. not less than 50 feet, or exceed 150 feet from the residence,
 3. within 8 feet of driveway,
 4. two feet above grade,
 5. brass with 2½ inch National Standard male hose thread and cap,
 6. identified by a blue reflector,
 7. 8 feet from flammable vegetation.
- The Chief shall approve other uses not identified.

ROADS STANDARDS

- Access roads provide vehicular access to more than one lot of record or to one lot of record with more than four dwelling units.
- Access road widths shall be a minimum of 18 feet.
- Access roads shall have an unobstructed vertical clearance of not less than 13' 6".
- 1. Access roads shall be named and signed.
- Road naming and signing shall occur prior to building final.
- Road name and sign information is available by phoning 781-5199.

DRIVEWAY STANDARDS

- The driveway width shall be 16 feet,
- A driveway exceeding 300 feet shall provide turnaround within 50 feet of the residence.
 1. Turnarounds shall be a minimum 40-foot radius or a hammerhead/T 60 feet long.

ACCESS ROAD AND DRIVEWAY SURFACES

- Access roads and driveways surfaces shall be:
 1. All weather surfaced to a maximum grade of less than 12%.
 2. Asphalt or concrete with a non-skid finish for any grade exceeding 12% to a maximum grade of 16%.
 3. Meet a load capacity of 20 tons

ADDRESSING

- Legible address numbers shall be placed on all residences.
- Each residence shall be assigned a separate address.
- Legible address numbers shall be located at the driveway entrance.

VEGETATION CLEARANCE

To provide safety and defensible space the following shall be required:

- To each side of roads and driveways a 10-foot fuel-break shall be provided.
- Maintain around all structures a 30-foot firebreak.
 1. This does not apply to landscaped areas and plants.
- Remove any part of a tree that is within 10 feet of a chimney outlet.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other dead vegetative growth.

FINAL INSPECTION

- The project will require final inspection. **Please allow five (5) working days for final inspection.** When the safety requirements have been completed, **call Fire Prevention at (805) 543-4244, extension 2220**, to arrange for a final inspection. Currently Southern San Luis Obispo County inspections occur on Tuesdays and North County inspections occur on Thursdays.

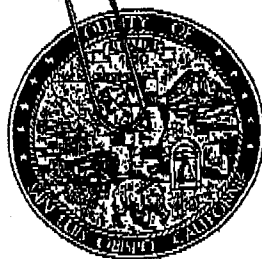
Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

Sincerely,



Gilbert R. Portillo
Fire Inspector

C: Mr. Gerald Beck



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

 VICENTE HOLANDA, AICP
DIRECTOR

RECEIVED

THIS IS A NEW PROJECT REFERRAL

MAR 11 2005

DATE:

3/9/05

TO:

City of A.G.

FROM:

South Co. Team
(Please direct response to the above)

 CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT
BEC
DRC-2004-00186 (mup)
Project Name and Number
Development Review Section (Phone: 788-2009)
 *OR ASK THE SWITCH-
BOARD FOR THE PLANNING

 PROJECT DESCRIPTION: Minor Use Pmt to modify size standards
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3/24/05
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NO
PART II

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☒

NO (Please go on to Part III)

 YES (Please describe impacts, along with recommended mitigation measures to
reduce the impacts to less-than-significant levels, and attach to this letter.)
PART III
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approval you recommend to be incorporated into the project's approval, or state reasons for
recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

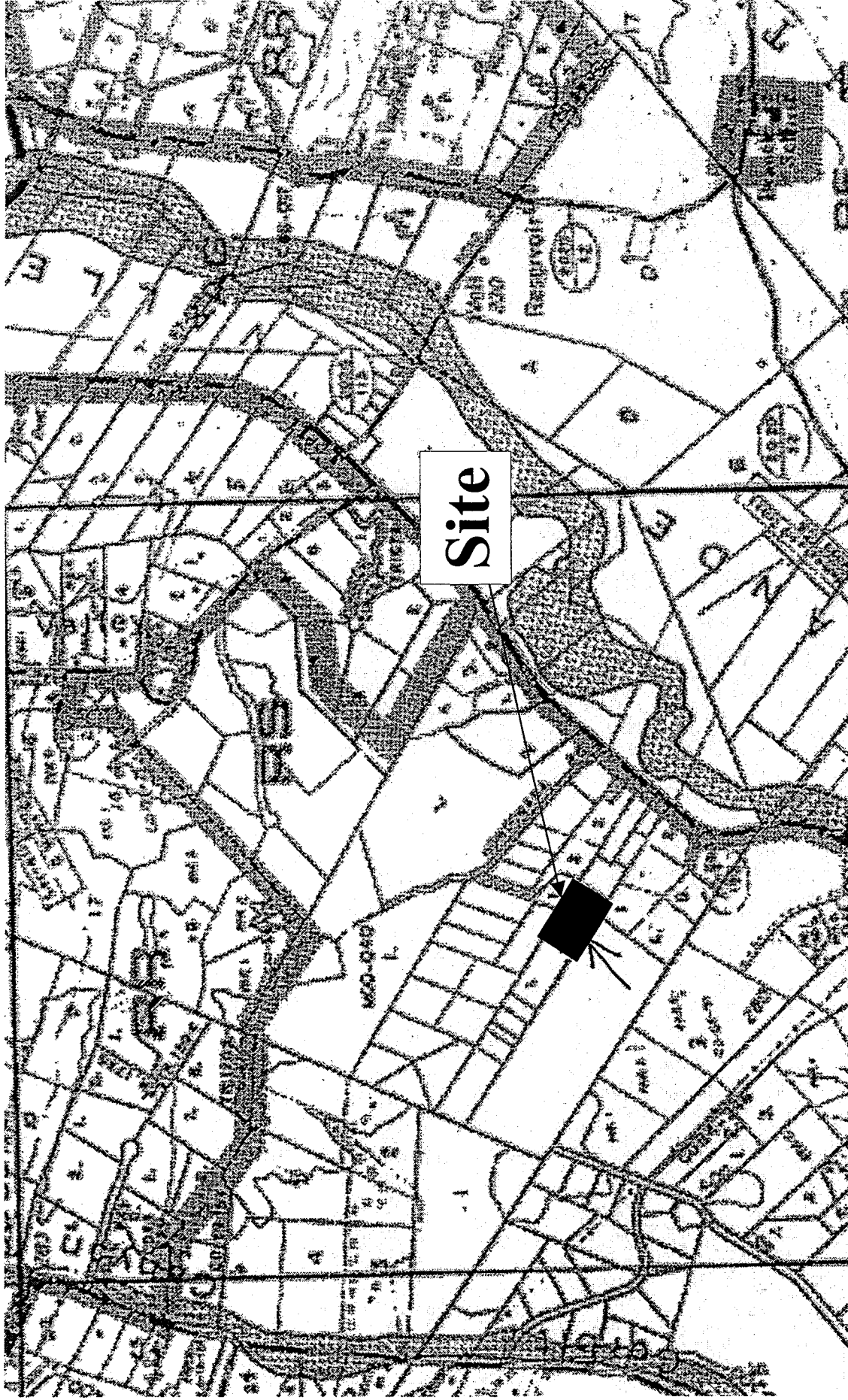
No comment other than standard City request for City
traffic and fire impact fees to be required of new dwelling
March 17, 2005
Date

Rob Strong, Comm. Dev. Director
Name
City of Arroyo Grande
4735420
Phone

The map shows a network of roads including Sweet Springs Rd, Lopez Valley View Pl, Country Oaks Ln, and Huasna Rd. A specific location is circled on Country Oaks Ln and labeled 'Site'. A large number '93420' is printed vertically on the right side of the map. The word 'SAN LUIS' is printed vertically on the far right. The word 'Site' is printed in large letters at the top center, with an arrow pointing to the circled area.

Beck Minor Use Permit

DRC2004-00186



W

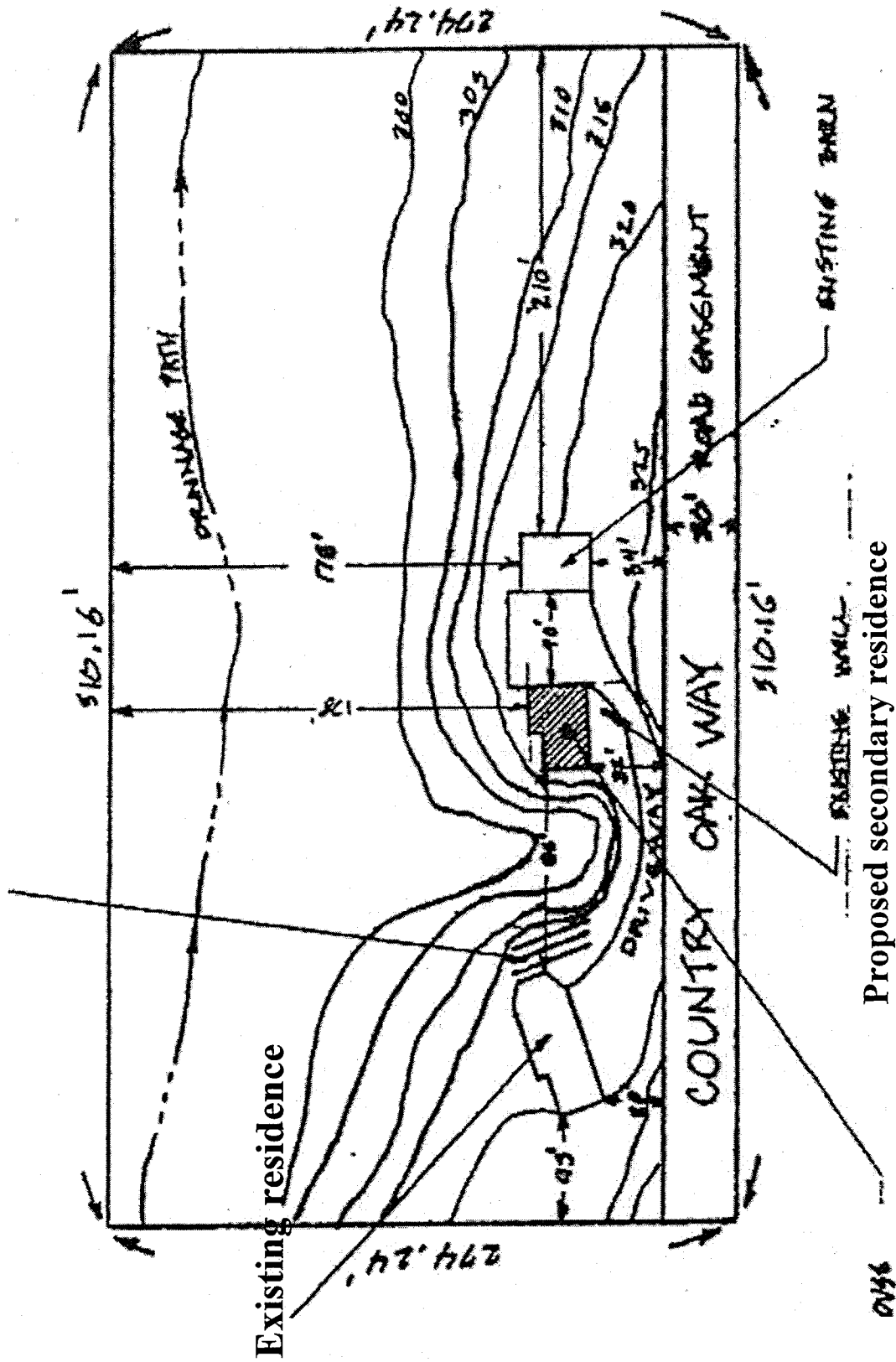
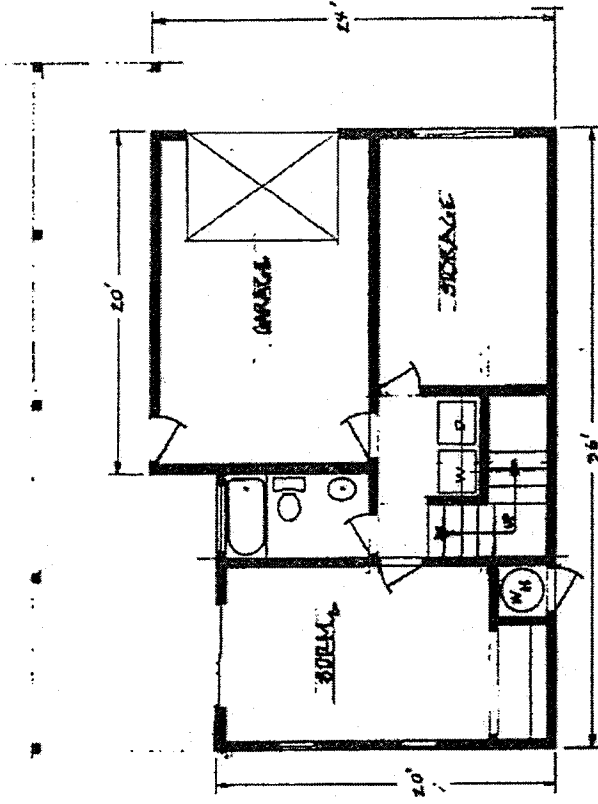


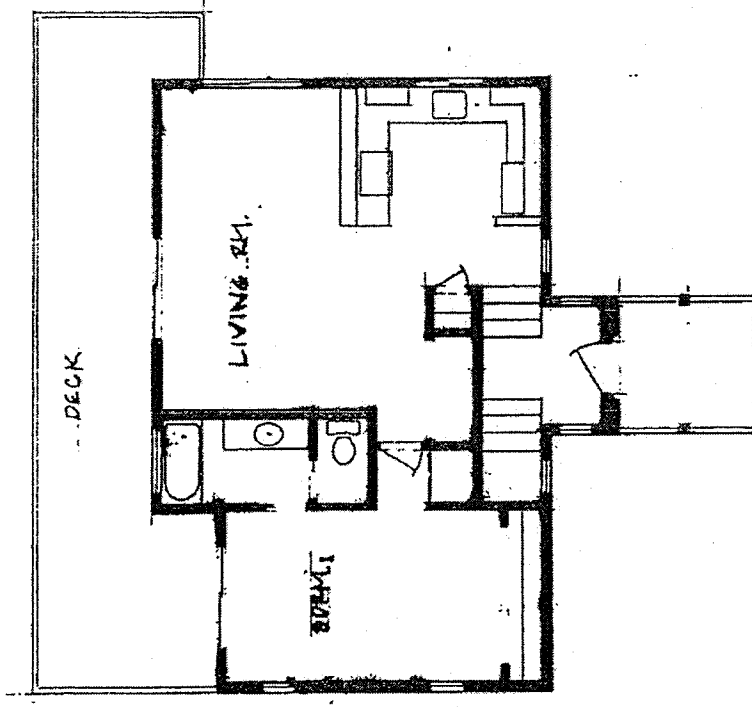
Exhibit
Site Plan



Project
Beck Minor Use Permit
DRC2004-00186



1st FLOOR scale 1/8"=1'

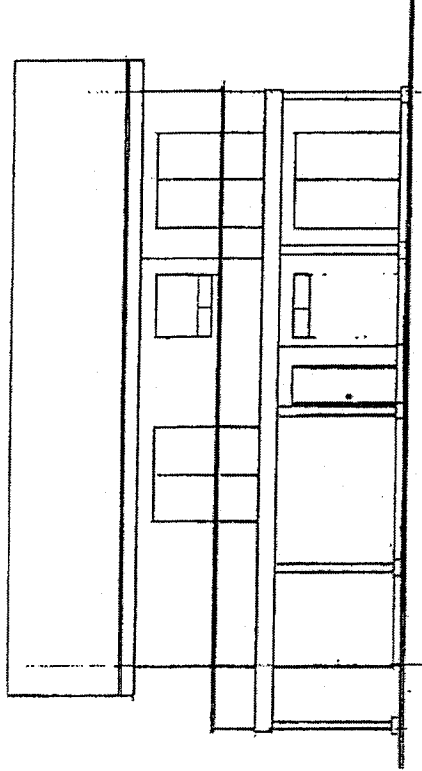


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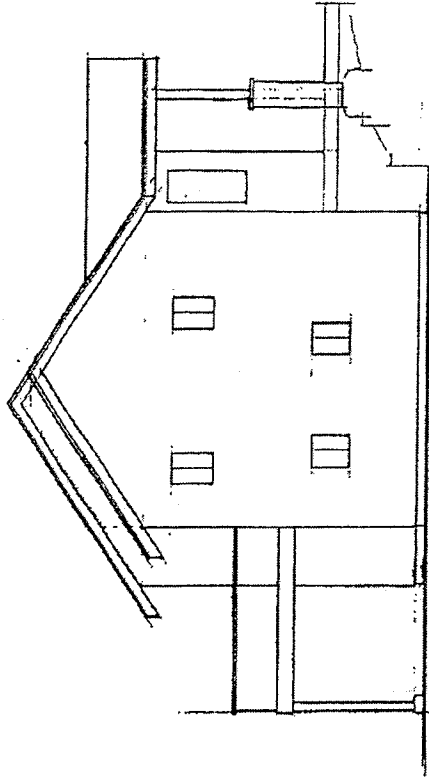


Exhibit
Floor Plan

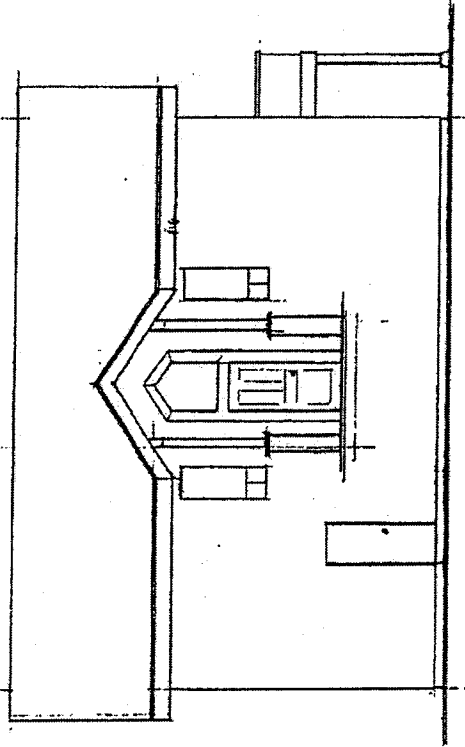
Project
Beck Minor Use Permit
DRC2004-00186



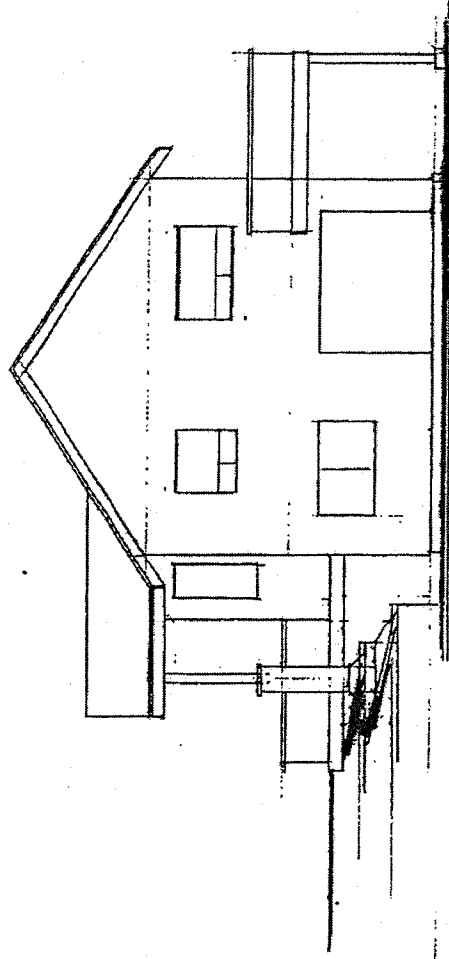
NORTH $\frac{1}{4}'' = 1'$



WEST $\frac{1}{4}'' = 1'$



SOUTH $\frac{1}{4}'' = 1'$



EAST $\frac{1}{4}'' = 1'$

